

report that Mr. Terrell was short this \$15,000.00?

A. No, I didn't.

Q. Your employes have?

A. I didn't.

Q. Your employes have?

A. I said the information he had furnished wasn't sufficient to relieve him of liability.

Q. He had furnished you information sufficient to relieve him of \$15,000.00 liability?

A. No, he has not.

Q. You have relieved him since then?

A. I don't know whether the men examining the records in the Treasury Department will or not; they are working today.

Q. But you have learned since and relieved him of \$15,000.00?

A. As far as relieving him, that is based on filing the audit which we hope to make later; any relieving generally is conditional on your part.

Q. Then you are trying—

A. The information as shown here as to the charge to him at this time could be definitely provided, and we want other facts.

Q. Well, now, if you haven't traced these items since they were given you, why didn't you trace them?

A. Into the Treasury, you mean?

Q. Yes, sir.

A. As I stated, we are working on these things today, we are doing things as we get to them; we are working today.

Q. Now, today is the 19th—or 20th. You filed your report on the 29th of January. You have had more than twenty days to trace these items into the Treasury, haven't you?

A. We have a number of other things besides that.

Q. Anything more important than this?

A. I am quite sure we have.

Q. More important than \$15,332.00? Now, Mr. Lynn, did you make a complete audit of that inheritance tax desk?

A. No, sir.

Q. Do you know how many non-resident estates that that desk has distributed in the last five years?

A. No, sir; I don't.

Q. Do you know how many resident estates that that desk has distributed in the last five years?

A. No, sir.

Q. Do you know how many thousands of dollars of money have passed through that desk since he has been in?

A. No, sir.

Q. If you haven't audited that desk—and you say you haven't—how can you justify your reaching an agreement with Mr. Phillips who has audited it?

A. I couldn't reach an agreement with Mr. Phillips. Mr. Phillips states in his report that he didn't audit that department. Read his report and see what he says about it. He didn't audit the inheritance tax division, neither did I.

Q. Well, you make no claim to have audited it at all?

A. I have audited certain transactions of that department.

Q. And cleared them?

A. I have audited some and cleared them, and some I have not cleared.

The Chairman: Gentlemen, the Committee of the Whole will stand at ease until 1:30.

### THIRD DAY.

(Saturday, February 22, 1930.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and developed the fact that there was not a quorum present.

Mr. Kinnear moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Giles, the Sergeant-at-Arms was instructed to bring in all absent members within the State who are not ill.

The roll was again called, and the following members were present:

Mr. Speaker.	Cox of Limestone.
Acker.	Davis.
Ackerman.	Dunlap.
Adkins.	Dryvall.
Allred.	Enderby.
Anderson.	Eickenroht.
Barnett.	Farrar.
Bateman.	Forbes.
Beck.	Fuchs.
Bounds.	Gates.
Carpenter.	Giles.
Chastain.	Graves.
Coltrin.	of Williamson.
Conway.	Hardy.
Cox of Lamar.	Harding.

Harper.	Mullally.
Harrison.	Negley.
Heaton.	Nicholson.
Hefley.	Olsen.
Hines.	Palmer.
Hogg.	Patterson.
Holder.	Pavlica.
Hopkins.	Petsch.
Jenkins.	Pool.
Johnson	Prendergast.
of Dallam.	Purl.
Johnson	Ray.
of Dimmit.	Reader.
Johnson of Smith.	Renfro.
Johnson of Scurry.	Richardson.
Jones.	Rogers.
Justiss.	Sanders.
Kayton.	Savage.
Keeton.	Shaver.
Keller.	Shelton.
Kennedy.	Simmons.
Kenyon.	Sinks.
Kincaid.	Snelgrove.
King.	Stevenson.
Kinnear.	Storey.
Lee.	Tarwater.
Lemens.	Terrell.
Long of Wichita.	Van Zandt.
Loy.	Waddell.
Magee.	Wallace.
Mankin.	Walters.
Martin.	Webb.
Maynard.	West.
McCombs.	Westbrook.
McGill.	Wiggs.
Mehl.	Williams
Metcalfe.	of Sabine.
Minor.	Williams
Montgomery.	of Travis.
Moore.	Woodruff.
Morse.	Young.

## Absent.

Baldwin.	Mauritz.
Bond.	Murphy.
Harman.	O'Neill.
Hornaday.	Pope of Nueces.
Kemble.	Reid.
Long of Houston.	Thompson.
Marks.	Tillotson.

## Absent—Excused.

Albritton.	Land.
Avis.	McDonald.
Baker.	McKean.
Bradley.	Mosely.
Brice.	Pope of Jones.
Brooks.	Quinn.
DeWolfe.	Riley.
Ewing.	Rountree.
Finn.	Sherrill.
Finlay.	Speck.
Gilbert.	Stephens.
Graves of Erath.	Strong.
Hubbard.	Turner.

Veatch.  
Warwick.

Williams  
of Hardin.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

On motion of Mr. Justiss, all members who were granted leaves of absence yesterday on account of illness were also granted leaves of absence for today.

On motion of Mr. Cox of Lamar, by unanimous consent, Mr. Brice was granted leave of absence for today.

## RELATIVE TO ABSENT MEMBERS.

Following is a statement submitted by Speaker Barron in regard to members who are absent at roll call today:

The following members are excused today on account of personal sickness:

Mr. Albritton, Mr. Avis, Mr. Brooks, Mr. Ewing, Mr. Graves of Erath, Mr. McDonald, Mr. Pope of Jones, Mr. Quinn, Mr. Riley, Mr. Sherrill, Mr. Strong, Mr. Veatch, Mr. Warwick and Mr. Williams of Hardin.

The following members are excused for today on account of sickness in family, or of near relatives:

Mr. Baker, Mr. Bradley, Mr. DeWolfe, Mr. Finlay, Mr. Hubbard, Mr. Land, Mr. McKean, Mr. Mosely, Mr. Rountree and Mr. Stephens.

The following members were specially excused by the House after hearing statement of emergency business and court matters:

Mr. Brice, Mr. Finn, Mr. Speck and Mr. Turner.

Mr. Gilbert was specially excused on account of the death of a nephew.

## The following members are absent:

Mr. Baldwin, Mr. Bond, Mr. Harman, Mr. Hornaday, Mr. Kemble, Mr. Long of Houston, Mr. Marks, Mr. Mauritz, Mr. Murphy, Mr. O'Neill, Mr. Pope of Nueces, Mr. Reid, Mr. Thompson and Mr. Tillotson.

## RELATIVE TO RESOLUTION PERIOD.

On motion of Mr. Woodruff, the resolution period was ordered dispensed with at this time.

### COMMITTEE OF THE WHOLE HOUSE.

On motion of Mr. Barnett, the House, at 10:15 o'clock a. m., resolved itself into a Committee of the Whole House for the purpose of hearing impeachment charges against the State Comptroller. (In Committee of the Whole House. Mr. Barron in the chair.)

### IN THE HOUSE.

(Mr. Barron in the chair.)

Mr. Barron, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave of the House to sit again at 2 o'clock p. m. today.

On motion of Mr. Keller, the House adopted the report.

### RECESS.

On motion of Mr. Keller, the House, at 12:15 o'clock p. m., took recess to 2 o'clock p. m. today.

### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

### COMMITTEE OF THE WHOLE HOUSE.

On motion of Mr. Minor, the House, at 2 o'clock p. m., resolved itself into a Committee of the Whole House for the purpose of hearing impeachment charges against the State Comptroller.

(In Committee of the Whole House. Mr. Barron in the chair.)

### IN THE HOUSE.

(Mr. Barron in the chair.)

Mr. Barron, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave of the House to sit again at 10 o'clock a. m. next Monday.

The House adopted the report.

### COMMEMORATING GEORGE WASHINGTON'S BIRTHDAY.

Mr. Keller offered the following resolution:

Whereas, The 22nd day of February, 1732, marks the beginning of the life of George Washington; and

Whereas, Years added to that date brought to this distinguished person the

title of commander-in-chief of the Colonial army, and many other honors, which were climaxed by that of first President of the United States of America, which in no wise reflects the services that he rendered for his people; and

Whereas, In order to pay our greatest respects to him today, we call him Father of Our Country; and

Whereas, During his entire life he was always faithful, energetic and willing to perform his duty; and

Whereas, Due to the large amount of business that this Special Session of the Forty-first Legislature had to perform, we have found it unable to adjourn in his memory, but have instead, so as to more truly commemorate the spirit of George Washington, stayed in session and performed the duties that we have had assigned to us, just as he did while living and working to establish our country; therefore be it

Resolved by the House of Representatives of the State of Texas, That we hereby dedicate this day of labor to the memory of George Washington, in hopes that those who follow us may receive from this interpretation of our George Washington an inspiration to follow on and do their duty.

The resolution was read second time and was adopted.

### RELATING TO ABSENT MEMBER.

Mr. McCombs offered the following resolution:

Whereas, M. E. O'Neill was duly elected Representative from District No. 45, consisting of Grayson and Collin counties, to the House of Representatives of the Forty-first Legislature of this State and qualified and served as such during the Regular and the first three Called Sessions of said Legislature; but

Whereas, He has not attended any session of this Legislature since the 28th day of January, A. D. 1930; and

Whereas, It is commonly reported that he has removed his residence from the said district and from the said counties of Grayson and Collin, and now resides at San Juan, in Hidalgo county, Texas; and

Whereas, If he has in fact so removed his residence, the office of Representative from the said Forty-fifth District is vacant by the terms of Article III, Section 23, of the Constitution of Texas; and

Whereas, By the terms of Article III, Section 8, of the Constitution, this House is the judge of the qualifications of its members; now, therefore, be it

Resolved, That the said M. E. O'Neill be furnished with a copy of this resolution and the Speaker be instructed to secure from the said M. E. O'Neill an affidavit setting forth the true facts as to his residence, and a statement from him as to his intentions to be present in the House in the future and represent the district from which he was elected.

The resolution was read second time.

On motion of Mr. Barnett, the resolution was referred to the Committee on Privileges, Suffrage and Elections.

#### ADJOURNMENT.

On motion of Mr. Anderson, the House, at 6:05 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

#### FOURTH DAY.

(Monday, February 24, 1930.)

The House met at 10 o'clock a. m., pursuant to adjournment and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Heaton.
Acker.	Hefley.
Ackerman.	Hines.
Adkins.	Hogg.
Albritton.	Holder.
Allred.	Jenkins.
Baldwin.	Johnson
Barnett.	of Dallam.
Bateman.	Johnson
Beck.	of Dimmit.
Bond.	Johnson of Smith.
Bounds.	Johnson of Scurry.
Bradley.	Jones.
Carpenter.	Justiss.
Chastain.	Keeton.
Coltrin.	Keller.
Conway.	Kemble.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Kenyon.
Davis.	King.
Duvall.	Kinnear.
Enderby.	Lee.
Farrar.	Lemens.
Finn.	Long of Houston.
Finlay.	Loy.
Forbes.	Magee.
Gilbert.	Mankin.
Giles.	Marks.
Graves	Mauritz.
of Williamson.	Maynard.
Graves of Erath.	McCombs.
Hardy.	McDonald.
Harding.	McGill.
Harman.	Mehl.
Harper.	Metcalf.
Harrison.	Moore.

Morse.  
Mullally.  
Negley.  
Nicholson.  
Olsen.  
Palmer.  
Patterson.  
Pavlica.  
Petsch.  
Pool.  
Prendergast.  
Purl.  
Quinn.  
Ray.  
Reader.  
Renfro.  
Richardson.  
Riley.  
Rogers.  
Sanders.  
Savage.  
Shaver.  
Shelton.

Simmons.  
Sinks.  
Snelgrove.  
Stevenson.  
Storey.  
Tarwater.  
Terrell.  
Tillotson.  
Turner.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace.  
Webb.  
West.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodruff.  
Young.

#### Absent.

Anderson.	Long of Wichita.
Brice.	Martin.
Brooks.	Murphy.
Dunlap.	O'Neill.
Eickenroht.	Pope of Jones.
Gates.	Pope of Nueces.
Hopkins.	Reid.
Hornaday.	Thompson.
Hubbard.	Warwick.
Kayton.	Westbrook.
Kincaid.	Williams
Land.	of Hardin.

#### Absent—Excused.

Avis.	Mosely.
Baker.	Rountree.
DeWolfe.	Sherrill.
Ewing.	Speck.
Fuchs.	Stephens.
McKean.	Strong.
Minor.	Walters.
Montgomery.	

A quorum was announced present.

Prayer was offered by Rev. B. B. Crimm.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Montgomery for today and the balance of the week, on motion of Mr. Beck.

Mr. Mosely for today, on motion of Mr. Heaton.

Mr. Speck for today, on motion of Mr. Purl.

The following members were granted